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23465 7590 03/04/2009 JOHN S. BEULICK C/O ARMSTRONG TEASDALE, LLP ONE METROPOLITAN SQUARE SUITE 2600 ST LOUIS, MO 63102-2740				
EXAMINER				
OUELLETTE, JONATHAN P				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USpatents@armstrongteasdale.com

Office Action Summary

Application No.

09/682,713

Applicant(s)

MUKUND, R.

Examiner

Jonathan Ouellette

Art Unit

3629

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5, 6, 8-18, 20, 23-36 and 38-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6, 8-18, 20, 23-36, and 38-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/3508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Request for Continued Examination

1. The Request filed on 2/19/2009 for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/682,713 is acceptable and a RCE has been established. An action on the RCE follows.

Response to Amendment

2. Claims 1-3, 5, 6, 8-18, 20, 23-36, and 38-45 are currently pending in application 09/682,713.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. **Claims 1, 11, and 16 are rejected under 35 U.S.C. 101 because the independent claims fails to meet the machine-or-transformation test, and therefore, fails to satisfy § 101 requirements.**
5. The machine-or-transformation test is a two-branched inquiry; an applicant may show that a process claim satisfies § 101 either by showing that his claim is tied to a particular machine, or by showing that his claim transforms an article. See Benson, 409 U.S. at 70. Certain considerations are applicable to analysis under either branch. First, as illustrated by Benson and discussed below, the use of a specific machine or transformation of an

article must impose meaningful limits on the claim's scope to impart patent-eligibility.

See Benson, 409 U.S. at 71-72. Second, the involvement of the machine or transformation in the claimed process must not merely be insignificant extra-solution activity (**i.e. saving data in a database and displaying data from a database**). See Flook, 437 U.S. at 590.

6. Therefore, because the applicable test to determine whether a claim is drawn to a patent-eligible process under § 101 is the machine-or-transformation test set forth by the Supreme Court and clarified herein, and independent Claims 1, 11, and 16 plainly fail that test, the claims are rejected.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
8. **Claims 1-3, 5, 6, 8-18, 20, 23-36, and 38-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnan et al. (US 2002/0184068 A1) in view of Official Notice.**
9. As per **independent Claims 1 and 17**, Krishnan discloses a method for managing, storing, and disseminating compliance assurance (CA) information for a business entity using a web-based system including a server system coupled to a centralized interactive database and at least one client system (Figs.3-4, Para 0013), said method comprising:

receiving CA information relating to the business entity at the server from a client system (Figs. 7-9, complete questionnaire to determine risk profile and regulation applicability; Para 0016); creating within the centralized database a hierarchy of business units included within the business entity, (Figs.13-15, Para 0120-0133, Hierarchy disclosed: Policy Maker - business entity/organizational level, Manager –site/building level, and Worker – department level); storing CA information and a plurality of audit checklists within the centralized database (Fig. 11; Para 0022, auditing checklists; Para 0124, reports equivalent to checklists) including organizing the stored CA information based on the hierarchy of business units such that CA information is retrievable and displayable by at least one of the business units included within the hierarchy of business units (Figs.13-15, Para 01210-0133), wherein the CA information includes CA tasks to be performed and a responsible person assigned to each task at business unit included within each level within the hierarchy of business units (Fig.14 – Deloris Manager correlated to highest business unit in hierarchy); cross-referencing CA information (Para 0017); updating the centralized database periodically to maintain CA information (Para 0077; Fig.4, Para 0128: New Compliance Standards, and Para 0102: Customer information Database updated through cyclical questionnaire process); displaying on a client system a compliance calendar option (Fig.13), an audit tracking option (Fig.13, Tracking Action Items), and audit tool option (Para 0124, Para 0124, Fig.13, reports and policies links), wherein the compliance calendar option causes to be displayed on the client system CA tasks to be performed and corresponding CA deadlines for a selected location included within the business entity (Fig.13-15), wherein the audit tracking option prompts the user

to input audit information for a selected location included within the business entity (Fig.14), and wherein the audit tool option prompts the user to select at least one audit checklist from the plurality of audit checklists stored within the database (Para 0124, operations and compliance reports equivalent to checklists); processing at the server an inquiry submitted by the user including a selection of one of the options displayed on the client system (Fig.13, user selects a reports or policies link; or Fig.14, user selects location and period); providing CA information in response to the inquiry including CA information for a selected business unit (Manager, Policy Maker, and Worker) included within the hierarchy of business units including providing the CA tasks and the responsible person assigned to each CA task for the selected business unit (Fig.13, system provides reports for data entry; Fig.14, system provides location specific information;); notifying users electronically of CA tasks to be performed at a selected location and corresponding CA deadlines (Fig.15, Today's Tasks, Key Reminders; Fig.18, Due Date; Para 0017, enabling information); tracking the CA tasks to be performed at the selected location and the corresponding CA deadlines to ensure compliance (Fig.13; Para 0017-0018, track completion of tasks); and generating a CA task summary report for the manager responsible for managing compliance for the plurality of locations (Fig.18, Para 0073).

10. Krishnan fails to expressly disclose wherein the hierarchy of business units includes at least a business entity level, an organizational level, a site level, a department level ad a building level, and wherein the organization level is a predefined sub-portion of the business entity level, the site level is a predefined sub-portion of the organization level,

the department level is a predefined sub-portion of the site level, and the building level is another predefined sub-portion of the site level.

11. However, Krishnan does disclose gathering Compliance Assurance information and providing/displaying it in a business hierarchy (Figs.13-15, Para 0120-0133, Policy Maker - business entity/organizational level, Manager –site/building level, and Worker – department level).
12. Official notice is further taken that a business hierarchy in the form of Business – Organization – Department – Building/Site was a well known breakdown of business levels and information tracking at the time the invention was made
13. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display/provide the information in a variety of business levels/departments that would more efficiently/effectively allow personnel to deal with information specific to their situation (See KSR [127 S Ct. at 1739] “The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.”).
14. Krishnan fails to expressly disclose storing a plurality of *predetermined* audit checklists within the centralized database.
15. However, Krishnan does disclose storing a plurality of rules, regulations, and standards within the centralized database (Fig.4), and determining a customized audit report (checklist) for company specific sites/managers (Fig. 11; Para 0022, auditing checklists; Para 0124, reports equivalent to checklists).

16. Therefore, Krishnan system is considered by the Examiner to be an advancement on the instant application, as it would have been obvious to one of ordinary skill in the art at the time the invention was made to simply generate a generic report of compliance needs based on the saved rules, regulations, and standards within the centralized database.
17. Furthermore, Krishnan fails to expressly disclose determining and providing/generating a summary report which indicates active (at a selected time) CA tasks, CA tasks completed year to date, total CA tasks year to date, percentage of CA tasks completed year to date, and total CA tasks past due for a plurality of locations assigned to a manager.
18. However, Krishnan does disclose wherein the system is designed to determine, track, and report a plurality of compliance assurance information (Fig.14, Para 0126). The Display tool shown in Fig.14 by Krishnan is designed to display all available compliance information separately or aggregated to user based on location and time, and it would have been obvious to display the CA information to the user in any location/time/information combinational format (See KSR [127 S Ct. at 1739] "The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results."). Furthermore, Krishnan disclosed collecting/saving the equivalent information and/or information necessary to determine the equivalent information (Fig.11 and Figs.13-15) disclosed by the instant application (CA tasks, CA tasks completed year to date, total CA tasks year to date, percentage of CA tasks completed year to date, and total CA tasks past due for a plurality of locations assigned to a manager is available to the system).

19. As per Claims 2 and 23, Krishnan discloses storing CA information within the database based on the hierarchy of business units such that information is retrievable and displayable in response to a selected business entity included within the business entity level (Fig.13 – drop down box, US Chemicals), or by a selected organization included within the organizational level corresponding to the selected business entity, or by a selected site which is included within the site level corresponding to the selected organization, or by a selected department which is included within the department level corresponding to the selected site, or by a selected building that is included within the building level corresponding to the selected department (Figs.8-10, Figs.13-15, business and site information saved and retrievable by system users).
20. As per Claim 3, Krishnan discloses wherein cross-referencing CA information further comprises compiling a user schedule using CA information regarding tasks being performed (Figs. 13-18, schedule of tasks/action items).
21. As per Claim 5, Krishnan discloses wherein providing CA information comprises: displaying information to a user identifying at least one of a site location and a CA task to be performed at a site location; and receiving an inquiry from the client system regarding at least one of a site location and a CA task to be performed at a site location (Fig.15, Worker desktop is location specific).
22. As per Claim 6, Krishnan discloses wherein providing CA information comprises: displaying information on the client system regarding *at least one of a site location, CA calendar, CA audit tracking system, CA audit tool, and CA contacts information*; and receiving an inquiry from the client system regarding *at least one of a site location, CA*

calendar, CA audit tracking system, CA audit tool, and CA contacts information (Figs. 13-15).

23. As per Claim 8, Krishnan discloses wherein providing CA information comprises providing *at least one of* business information, organizational information, *site information*, assigned contact person information, COE/department information, building information, CA audit tracking information, CA task information, CA calendar information, CA task reminder information, frequency of reminder information, environmental information, health and safety information, quality information, legal information, human resources information, management information, and corporate compliance information.
24. As per Claims 9 and 26, Krishnan discloses wherein notifying users comprises transmitting an electronic message to the client system from the server system notifying at least one user of a CA task to be performed and a CA audit tracking task to be performed (Fig.13, key reminders; Fig.14, alerts – web-based communication).
25. As per Claim 18, Krishnan discloses wherein said client system further comprises *at least one of*: a displaying component for displaying at least one of a *pull-down list*, a check box, and *hypertext link options relating to CA audit tracking information and CA scheduling information*; a sending component to send an inquiry to the server system so that the server system can process and download the requested information to the client system; a collection component for collecting CA information from users into the centralized database; a tracking component for tracking CA information; a displaying component for displaying CA information *on at least one site location*; a receiving

component for receiving an inquiry from the client system regarding at least one of business information, organizational information, *site information*, assigned contact person information, COE/department information, building information, CA audit tracking information, CA task information, *CA calendar information*, CA task reminder information, frequency of reminder information, environmental information, health and safety information, quality information, legal information, human resources information, management information, and corporate compliance information; an accessing component for accessing the centralized database and causing the retrieved information to be displayed on the client system; and a notifying component for electronically notifying users of CA tasks and CA deadlines (Figs. 13-15, Desktop tools).

26. As per Claim 20, Krishnan discloses wherein said server system further comprises a processing component for searching and processing received inquiries against the database containing information collected by the collection component, and for cross-referencing at least one of CA calendar information, CA task information, and CA audit tracking information (Fig.14, provided the location specific information).
27. As per Claim 24, Krishnan discloses wherein said server system further comprises at least one of a receiving component that receives information directly through the client system, and a receiving component that receives information in a pre-determined format established for inputting CA information (Fig.14, request received through user desktop, in drop-down box format).
28. As per Claim 25, Krishnan discloses a cross-referencing component that accomplishes at least one of: *compiling a user schedule using CA information regarding CA tasks being*

performed; creating a user CA calendar based on previously created user CA calendars; and creating a user CA calendar based on changes in CA audit tracking information (Para 0122, Fig.13, notifying user of overdue action items).

29. As per Claim 41, Krishnan discloses wherein displaying on a client system the audit tool option further comprises displaying topical categories on the client system wherein each of the predetermined audit checklists are organized within one of the topical categories, wherein the topical categories including environmental, health and safety, transportation, and construction safety (Fig.14, Para 0126).
30. As per Claim 42, Krishnan discloses wherein displaying on a client system the audit tool option further comprises enabling the user to select a topical category to display each of the predetermined audit checklists organized within the selected topical category (Fig.14, Para 0126).
31. As per new Claims 43 and 45, Krishnan discloses wherein storing CA information further comprises: storing within the database, for each level of the hierarchy of business units, a responsible person assigned to each task, wherein the responsible person for a given CA task may be different at each level of the hierarchy of business units (Figs.13-15, Para 0120-0133, Equivalent hierarchy disclosed: Policy Maker - business entity/organizational level, Manager –site/building level, and Worker – department level; Fig.14 – Deloris Manager correlated to highest business unit in hierarchy).
32. As per **independent Claims 11 and 27**, Krishnan discloses a method for managing, storing, and disseminating compliance assurance (CA) information for a business entity using a web-based system including a server system coupled to a centralized interactive

database (Figs.3-4, Para 0013), at least one managerial user system (Fig.3, Manager Worker, Executive), and at least one client system (Fig. 3, component 300), said method comprising: receiving CA information relating to the business entity at the server from a client system (Figs. 7-9, complete questionnaire to determine risk profile and regulation applicability; Para 0016), said CA information comprising site information including environmental information, health and safety information, legal information, corporate compliance information, and contacts information (Figs. 8-10 and 14, Para 0022); creating within the centralized database a hierarchy of business units included within the business entity (Figs.13-15, Para 0120-0133, Policy Maker - business entity/organizational level, Manager –site/building level, and Worker – department level); storing CA information and a plurality of audit checklists within the centralized database (Fig. 11; Para 0022, auditing checklists; Para 0124, reports equivalent to checklists) including organizing the stored CA information based on the hierarchy of business units such that CA information is retrievable and displayable by at least one of the business units included within the hierarchy of business units (Figs.13-15, Para 01210-0133), wherein the CA information includes CA tasks to be performed and a responsible person assigned to each task at business unit included within each level within the hierarchy of business units (Fig.14 – Deloris Manager correlated to highest business unit in hierarchy); cross-referencing CA information (Para 0017); updating the centralized database periodically to maintain CA information (Para 0077; Fig.4, Para 0128: New Compliance Standards, and Para 0102: Customer information Database updated through cyclical questionnaire process); displaying on a client system a

compliance calendar option (Fig.13), an audit tracking option (Fig.13, Tracking Action Items), and audit tool option (Para 0124, Para 0124, Fig.13, reports and policies links) included within the business entity (Fig.13-15), wherein the compliance calendar option causes to be displayed on the client system CA tasks to be performed and corresponding CA deadlines for a selected location included within the business entity (Fig.13), wherein the audit tracking option prompts the user to input audit information for a selected location (Fig. 14), and wherein the audit tool option prompts the user to select at least one audit checklist from the plurality of audit checklists stored within the database (Para 0124, operations and compliance reports equivalent to checklists); processing at the server an inquiry submitted by the user including a selection of one of the options displayed on the client system (Fig.13, user selects a reports or policies link; or Fig.14, user selects location and period); providing CA information in response to the inquiry including CA information for a selected business unit (Manager, Policy Maker, and Worker) included within the hierarchy of business units (Fig.13, system provides reports for data entry; Fig.14, system provides location specific information); notifying users electronically of CA tasks to be performed at a selected location and corresponding CA deadlines (Fig.15, Today's Tasks, Key Reminders; Fig.18, Due Date; Para 0017, enabling information); tracking the CA tasks to be performed at the selected location and the corresponding CA deadlines to ensure compliance (Fig.13; Para 0017-0018, track completion of tasks); and providing an electronic report of the CA tasks to be performed and the CA deadlines to the managerial user system (Fig.18, Para 0073).

33. Krishnan fails to expressly disclose wherein the hierarchy of business units includes at least a business entity level, an organizational level, a site level, a department level and a building level, and wherein the organization level is a predefined sub-portion of the business entity level, the site level is a predefined sub-portion of the organization level, the department level is a predefined sub-portion of the site level, and the building level is another predefined sub-portion of the site level.
34. However, Krishnan does disclose gathering Compliance Assurance information and providing/displaying it in a business hierarchy (Figs.13-15, Para 0120-0133, Policy Maker - business entity/organizational level, Manager –site/building level, and Worker – department level).
35. Official notice is further taken that a business hierarchy in the form of Business – Organization – Department – Building/Site was a well known breakdown of business levels and information tracking at the time the invention was made
36. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display/provide the information in a variety of business levels/departments that would more efficiently/effectively allow personnel to deal with information specific to their situation (See KSR [127 S Ct. at 1739] “The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.”).
37. Krishnan fails to expressly disclose storing a plurality of *predetermined* audit checklists within the centralized database.

38. However, Krishnan does disclose storing a plurality of rules, regulations, and standards within the centralized database (Fig.4), and determining a customized audit report (checklist) for company specific sites/managers (Fig. 11; Para 0022, auditing checklists; Para 0124, reports equivalent to checklists).
39. Therefore, Krishnan system is considered by the Examiner to be an advancement on the instant application, as it would have been obvious to one of ordinary skill in the art at the time the invention was made to simply generate a generic report of compliance needs based on the saved rules, regulations, and standards within the centralized database.
40. Furthermore, Krishnan fails to expressly disclose determining and providing/generating a summary report which indicates active (at a selected time) CA tasks, CA tasks completed year to date, total CA tasks year to date, percentage of CA tasks completed year to date, and total CA tasks past due for a plurality of locations assigned to a manager.
41. However, Krishnan does disclose wherein the system is designed to determine, track, and report a plurality of compliance assurance information (Fig.14, Para 0126). The Display tool shown in Fig.14 by Krishnan is designed to display all available compliance information separately or aggregated to user based on location and time, and it would have been obvious to display the CA information to the user in any location/time/information combinational format (See KSR [127 S Ct. at 1739] “The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.”). Furthermore, Krishnan disclosed collecting/saving the equivalent information and/or information necessary to determine the equivalent information (Fig.11 and Figs.13-15) disclosed by the instant application

(CA tasks, CA tasks completed year to date, total CA tasks year to date, percentage of CA tasks completed year to date, and total CA tasks past due for a plurality of locations assigned to a manager is available to the system).

42. As per Claims 12 and 28, Krishnan discloses storing CA information within the database based on the hierarchy of business units such that information is retrievable and displayable in response to a selected business entity included within the business entity level (Fig.13 – drop down box, US Chemicals), or by a selected organization included within the organizational level corresponding to the selected business entity, or by a selected site which is included within the site level corresponding to the selected organization, or by a selected department which is included within the department level corresponding to the selected site, or by a selected building that is included within the building level corresponding to the selected department (Figs.8-10, Figs.13-15, business and site information saved and retrievable by system users).
43. As per Claims 13 and 30, Krishnan discloses wherein processing at the server comprises using the audit tool to process the CA information to assure compliance with certain laws, rules, regulations, standards, and policies (Para 0016-0017).
44. As per Claims 14 and 31, Krishnan discloses wherein notifying users comprises transmitting an electronic message to the client system from the server system notifying the user of the CA tasks to be performed within a time period shown on the CA calendar such that compliance with certain laws, rules, regulations, standards, and policies relating to certain topics including at least environment, health and safety, quality, legal, and

corporate compliance is assured (Fig.15, Today's Tasks, Key Reminders; Fig.18, Due Date; Para 0017, enabling information).

45. As per Claims 15 and 32, Krishnan discloses wherein providing an electronic report comprises transmitting an electronic report to the managerial user system from the server system comprising a summary of the CA tasks performed at a site location for a time period shown on the CA calendar such that managerial oversight of the CA information is facilitated and compliance with certain laws, rules, regulations, standards, and policies relating to certain topics including at least one of environment, health and safety, quality, legal, and corporate compliance is assured (Fig.13, Overdue Action Items indicator – equivalent to summary report; Fig.18, Action Item report).
46. As per Claims 29, Krishnan discloses wherein receiving CA information comprises receiving requested information from the client system relating to certain topics including *at least one of environment, health and safety*, quality, legal, and *corporate compliance* (Figs.8-10, user completes questionnaire - provides health and safety related information).
47. As per new Claim 44, Krishnan discloses wherein storing CA information further comprises: storing within the database, for each level of the hierarchy of business units, a responsible person assigned to each task, wherein the responsible person for a given CA task may be different at each level of the hierarchy of business units Figs.13-15, Para 0120-0133, Equivalent hierarchy disclosed: Policy Maker - business entity/organizational level, Manager –site/building level, and Worker – department level; Fig.14 – Deloris Manager correlated to highest business unit in hierarchy).

48. As per **independent Claim 16**, Krishnan discloses a method for manipulating CA information for a business entity using a web-based system including a server system coupled to a centralized interactive database and at least one client system (Figs.3-4, Para 0013), said method comprising: receiving CA information relating to the business entity at the server (Figs. 7-9, complete questionnaire to determine risk profile and regulation applicability; Para 0016) comprising business information, organizational information, site information, assigned contact person information, COE/department information, building information, *CA audit tracking information*, CA task information, CA calendar information, CA task reminder information, frequency of reminder information, environmental information, health and safety information, quality information, legal information, human resources information, management information, and corporate compliance information (Figs. 8-10 and 14, Para 0022, equivalent information types); creating within the centralized database a hierarchy of business units included within the business entity (Figs.13-15, Para 0120-0133, Policy Maker - business entity/organizational level, Manager –site/building level, and Worker – department level); storing CA information and a plurality of audit checklists within the centralized database (Fig. 11; Para 0022, auditing checklists; Para 0124, reports equivalent to checklists) including organizing the stored CA information based on the hierarchy of business units such that CA information is retrievable and displayable by at least one of the business units included within the hierarchy of business units (Figs.13-15, Para 01210-0133), wherein the CA information includes responsible person assigned to each task at each business unit of each level within the hierarchy of business units (Fig.14 –

Deloris Manager correlated to highest business unit in hierarchy); updating the centralized database with CA information comprising adding and deleting information so as to revise existing CA information including at least one of CA task information, CA calendar information, and CA audit tracking information (Para 0077; Fig.4, Para 0128: New Compliance Standards, and Para 0102: Customer information Database updated through cyclical questionnaire process); displaying on a client system a compliance calendar option (Fig.13), an audit tracking option (Fig.13, Tracking Action Items), and audit tool option (Para 0124, Para 0124, Fig.13, reports and policies links), wherein the compliance calendar option causes to be displayed on the client system CA tasks to be performed and corresponding CA deadlines for a selected location (Fig.13) included within the business entity (Fig.13-15), wherein the audit tracking option prompts the user to input audit information for a selected location included within the business entity (Fig.14), and wherein the audit tool option prompts the user to select at least one audit checklist from the plurality of audit checklists stored within the database (Para 0124, operations and compliance reports equivalent to checklists); processing at the server an inquiry submitted by the user including a selection of one of the options displayed on the client system (Fig.13, user selects a reports or policies link; or Fig.14, user selects location and period); providing CA information in response to the inquiry including CA information for a selected business unit included with the hierarchy of business units including providing the CA tasks and the responsible person assigned to each CA task for the selected business unit (Fig.13, system provides reports for data entry; Fig.14, system provides location specific information); notifying the responsible person assigned to each

CA task for the selected business unit of CA tasks to be performed at the selected location and the corresponding CA deadlines comprising transmitting an electronic message to the client system from the server system notifying the responsible person of a CA task to be performed (Fig.15, Today's Tasks, Key Reminders; Fig.18, Due Date; Para 0017, enabling information); and transmitting a CA task summary report to a manager responsible for managing compliance for a plurality of locations (Fig.18, Para 0073).

- 49.** Krishnan fails to expressly disclose wherein the hierarchy of business units includes at least a business entity level, an organizational level, a site level, a department level and a building level, and wherein the organization level is a predefined sub-portion of the business entity level, the site level is a predefined sub-portion of the organization level, the department level is a predefined sub-portion of the site level, and the building level is another predefined sub-portion of the site level.
- 50.** However, Krishnan does disclose gathering Compliance Assurance information and providing/displaying it in a business hierarchy (Figs.13-15, Para 0120-0133, Policy Maker - business entity/organizational level, Manager -site/building level, and Worker - department level).
- 51.** Official notice is further taken that a business hierarchy in the form of Business - Organization - Department - Building/Site was a well known breakdown of business levels and information tracking at the time the invention was made
- 52.** Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display/provide the information in a variety of business levels/departments that would more efficiently/effectively allow personnel to deal with

information specific to their situation (See KSR [127 S Ct. at 1739] “The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.”).

53. Krishnan fails to expressly disclose storing a plurality of *predetermined* audit checklists within the centralized database.
54. However, Krishnan does disclose storing a plurality of rules, regulations, and standards within the centralized database (Fig.4), and determining a customized audit report (checklist) for company specific sites/managers (Fig. 11; Para 0022, auditing checklists; Para 0124, reports equivalent to checklists).
55. Therefore, Krishnan system is considered by the Examiner to be an advancement on the instant application, as it would have been obvious to one of ordinary skill in the art at the time the invention was made to simply generate a generic report of compliance needs based on the saved rules, regulations, and standards within the centralized database.
56. Furthermore, Krishnan fails to expressly disclose determining and providing/generating a summary report which indicates active (at a selected time) CA tasks, CA tasks completed year to date, total CA tasks year to date, percentage of CA tasks completed year to date, and total CA tasks past due for a plurality of locations assigned to a manager.
57. However, Krishnan does disclose wherein the system is designed to determine, track, and report a plurality of compliance assurance information (Fig.14, Para 0126). The Display tool shown in Fig.14 by Krishnan is designed to display all available compliance information separately or aggregated to user based on location and time, and it would have been obvious to display the CA information to the user in any

location/time/information combinational format (See KSR [127 S Ct. at 1739] “The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.”). Furthermore, Krishnan disclosed collecting/saving the equivalent information and/or information necessary to determine the equivalent information (Fig.11 and Figs.13-15) disclosed by the instant application (CA tasks, CA tasks completed year to date, total CA tasks year to date, percentage of CA tasks completed year to date, and total CA tasks past due for a plurality of locations assigned to a manager is available to the system).

58. As per **independent Claim 33**, Krishnan discloses a computer program embodied on a computer readable medium for managing, storing, and disseminating CA information for a business entity (Figs.3-4, Para 0013), said program comprising a code segment that receives CA information relating to the business entity and then: maintains a database by adding, deleting and updating CA information (Figs. 7-9, complete questionnaire to determine risk profile and regulation applicability; Para 0016; Para 0077; Fig.4, Para 0128: New Compliance Standards, and Para 0102: Customer information Database updated through cyclical questionnaire process); creating within the centralized database a hierarchy of business units included within the business entity (Figs.13-15, Para 0120-0133, Policy Maker - business entity/organizational level, Manager –site/building level, and Worker – department level); stores CA information and a plurality of audit checklists within the centralized database (Fig. 11; Para 0022, auditing checklists; Para 0124, reports equivalent to checklists) including organizing the stored CA information based on the hierarchy of business units such that CA information is retrievable and displayable by

at least one of the business units included within the hierarchy of business units (Figs.13-15, Para 01210-0133), wherein the CA information includes responsible person assigned to each task at each business unit of each level within the hierarchy of business units (Fig.14 – Deloris Manager correlated to highest business unit in hierarchy); displays on a client system a compliance calendar option (Fig.13), an audit tracking option (Fig.13, Tracking Action Items), and audit tool option (Para 0124, Para 0124, Fig.13, reports and policies links), wherein the compliance calendar option causes to be displayed on the client system CA tasks to be performed and corresponding CA deadlines for a selected location included within the business entity (Fig.13-15), wherein the audit tracking option prompts the user to input audit information for a selected location included within the business entity (Fig.14), and wherein the audit tool option prompts the user to select at least one audit checklist from the plurality of audit checklists stored within the database (Para 0124, operations and compliance reports equivalent to checklists); processing at the server an inquiry submitted by the user including a selection of one of the options displayed on the client system (Fig.13, user selects a reports or policies link; or Fig.14, user selects location and period); provides CA information in response to the inquiry including CA information for a selected business unit (Manager, Policy Maker, and Worker) included within the hierarchy of business units (Fig.13, system provides reports for data entry; Fig.14, system provides location specific information); notifies users of CA tasks to be performed at a selected location and corresponding CA deadlines including providing the CA tasks and the responsible person assigned to each CA task for the selected business unit (Fig.15, Today's Tasks, Key Reminders; Fig.18, Due Date;

Para 0017, enabling information); tracks the CA tasks to be performed at the selected location and the corresponding CA deadlines to ensure compliance (Fig.13; Para 0017-0018, track completion of tasks); and generates a CA task summary report to a manager responsible for managing compliance for a plurality of locations (Fig.18, Para 0073).

- 59.** Krishnan fails to expressly disclose wherein the hierarchy of business units includes at least a business entity level, an organizational level, a site level, a department level ad a building level, and wherein the organization level is a predefined sub-portion of the business entity level, the site level is a predefined sub-portion of the organization level, the department level is a predefined sub-portion of the site level, and the building level is another predefined sub-portion of the site level.
- 60.** However, Krishnan does disclose gathering Compliance Assurance information and providing/displaying it in a business hierarchy (Figs.13-15, Para 0120-0133, Policy Maker - business entity/organizational level, Manager –site/building level, and Worker – department level).
- 61.** Official notice is further taken that a business hierarchy in the form of Business – Organization – Department – Building/Site was a well known breakdown of business levels and information tracking at the time the invention was made
- 62.** Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display/provide the information in a variety of business levels/departments that would more efficiently/effectively allow personnel to deal with information specific to their situation (See KSR [127 S Ct. at 1739] “The combination of

familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.”).

63. Krishnan fails to expressly disclose storing a plurality of *predetermined* audit checklists within the centralized database.
64. However, Krishnan does disclose storing a plurality of rules, regulations, and standards within the centralized database (Fig.4), and determining a customized audit report (checklist) for company specific sites/managers (Fig. 11; Para 0022, auditing checklists; Para 0124, reports equivalent to checklists).
65. Therefore, Krishnan system is considered by the Examiner to be an advancement on the instant application, as it would have been obvious to one of ordinary skill in the art at the time the invention was made to simply generate a generic report of compliance needs based on the saved rules, regulations, and standards within the centralized database.
66. Furthermore, Krishnan fails to expressly disclose determining and providing/generating a summary report which indicates active (at a selected time) CA tasks, CA tasks completed year to date, total CA tasks year to date, percentage of CA tasks completed year to date, and total CA tasks past due for a plurality of locations assigned to a manager.
67. However, Krishnan does disclose wherein the system is designed to determine, track, and report a plurality of compliance assurance information (Fig.14, Para 0126). The Display tool shown in Fig.14 by Krishnan is designed to display all available compliance information separately or aggregated to user based on location and time, and it would have been obvious to display the CA information to the user in any location/time/information combinational format (See KSR [127 S Ct. at 1739] “The

combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.”). Furthermore, Krishnan disclosed collecting/saving the equivalent information and/or information necessary to determine the equivalent information (Fig.11 and Figs.13-15) disclosed by the instant application (CA tasks, CA tasks completed year to date, total CA tasks year to date, percentage of CA tasks completed year to date, and total CA tasks past due for a plurality of locations assigned to a manager is available to the system).

68. As per Claim 34, discloses a code segment that provides at least one of: an option to filter CA calendars based on *at least one of site information*, CA task type, assigned contact person, and time frame (Fig.15, *site specific calendar*); an option to filter CA audit tracking system based on at least one of *site information*, CA task type, assigned contact person, and *time frame* (Fig.18); and an option to filter CA audit tool system based on at least one of *site information*, CA task type, assigned contact person, and *time frame* (Fig.15, *Site Specific tracking of tasks*).
69. As per Claim 35, discloses a code segment that storing CA information within the database based on the hierarchy of business units such that information is retrievable and displayable in response to a selected business entity included within the business entity level (Fig.13 – drop down box, US Chemicals), or by a selected organization included within the organizational level corresponding to the selected business entity, or by a selected site which is included within the site level corresponding to the selected organization, or by a selected department which is included within the department level corresponding to the selected site, or by a selected building that is included within the

building level corresponding to the selected department (Figs.8-10, Figs.13-15, business and site information saved and retrievable by system users).

70. As per Claim 36, Krishnan discloses a code segment that accesses said database; a code segment that searches said database in response to an inquiry; a code segment that retrieves information from said database; a code segment that causes retrieved information to be displayed on a client system (Fig.14); a code segment that notifies a user of CA tasks and CA deadlines (Fig.13); and a code segment that causes a report summarizing the CA tasks and the CA deadlines for a site location to be displayed on a managerial user system (Fig.18).
71. As per Claim 38, Krishnan discloses a code segment that cross-references said CA calendar when a CA task is performed (Fig.13, system determines if Action Items are overdue).
72. As per Claim 39, Krishnan discloses a code segment that cross-references said CA calendar to at least one previously created CA calendar when CA information is received (Para 0122, Fig.13, notifying user of overdue action items).
73. As per Claim 40, Krishnan discloses a code segment that cross-references said CA calendar with said CA audit tracking system information (Para 0122, Fig.13, notifying user of overdue action items).

Response to Arguments

74. Applicant's arguments filed 2/19/2009, with respect to Claims 1-3, 5, 6, 8-18, 20, 23-36, and 38-45, have been considered but are moot based on the new grounds of rejection.

Conclusion

75. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
76. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.
77. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (703) 308-1202.

March 2, 2009

/Jonathan Ouellette/
Primary Examiner, Art Unit 3629